

## **REMARKS**

In view of the above amendments and following remarks, reconsideration of the objections and rejections contained in the Office Action of October 15, 2009 is respectfully requested.

The Examiner initially notes that the certified copy of the foreign priority document has not been provided. It is noted that the present application is the national stage of International Application PCT/FR04/00953, filed April 16, 2004. The Examiner's attention is drawn to the form PCT/IB/304 submitted as Attachment F upon filing of the national stage application and included in the Image File Wrapper as a single page document with a date of October 24, 2005. Thus, the priority document has been received by the International Bureau. Acknowledgment of the receipt is accordingly requested.

It should be noted that both the specification and abstract have been reviewed and amended to make a number of editorial changes thereto. These changes are for the sake of the form of the specification and abstract, and introduce no new matter.

The Examiner objected to claims 30 and 31, and rejected claims 17-32 under 35 U.S.C. § 112, second paragraph. Accordingly, prior claims 17-32 have been canceled and replaced with new claims 33-43. These claims correspond to the prior claims, with the following changes. The reference to a drilling liquid has been placed into dependent claim 42. The particularly claimed Vickers hardness range has been placed in dependent claim 43, with independent claim 33 retaining the limitation of the Vickers hardness being greater than 1400 kgf/mm<sup>2</sup>. The other objections and rejections raised by the Examiner have been suitably addressed in the redrafting of the claims. A number of further editorial changes have been made to the independent claim and the various dependent claims for the sake of form and consistency in language. Note for example that claim 33 now refers to a drilling pipe or delivery pipe so as to have the language of dependent claim 44, corresponding to prior dependent claim 26, be consistent therewith.

It is further noted that two additional claims have been presented, independent claim 51 and dependent claim 52. Claim 51 corresponds to claim 33, which corresponds to prior claim 17. However, claim 51 avoids the use of means-plus-function language. Both independent claims maintain the reference to a Vickers hardness greater than 1400 kgf/mm<sup>2</sup>. Dependent claim 52 recites the more particular range.

Accordingly, it is respectfully submitted that both independent claims define over the prior art and are allowable. The Examiner is thanked for the indication in section 8 on page 3 of the Office Action. Further, Applicants acknowledge the Examiner's discussion in section 9 on page 4 of the Office Action. Should the Examiner have any further concerns regarding the language of the claims, the Examiner is respectfully requested to contact Applicants' undersigned representative.

Otherwise, it is respectfully submitted that the present application is in condition for allowance, and such allowance is requested.

Respectfully submitted,

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